

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	RECORD OF TRIAL/PLEA	CASE NO. PETITION NO.
Court address		Court telephone no.

1. In the matter of
 (name(s), alias(es), DOB)

2. Date	3. Name	<input type="checkbox"/> Judge <input type="checkbox"/> Referee
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PARTIES PRESENT

4. Parent	8. Attorney
5. Stepparent/Guardian/Legal custodian	9. Lawyer-guardian ad litem
6. Minor	10. Victim/Other
7. Petitioner	11. Other

PROCEDURE/ADVICE OF RIGHTS (on reverse)
SUMMARY

12. Summary of findings and recommendations (summarize testimony if taken)

FINDINGS AND RECOMMENDATIONS/ORDERS

13. A ☐ trial was conducted. ☐ plea was knowingly, voluntarily, understandingly and accurately made as provided by the court rules and was accepted by the court. It appears the minor(s) ☐ do(es) ☐ do(es) not come within the provisions of the Juvenile Code.

IT IS RECOMMENDED/ORDERED that:

- ☐ 14. the petition be dismissed.
☐ 15. the matter be adjourned for ☐ dispositional hearing. ☐ additional testimony.
☐ 16. the next hearing is set for:
☐ 17. other:

Date	Judge/Referee	Bar no.
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CHECKLIST FOR ADVICE OF RIGHTS AND GENERAL PROCEDURE FOR PLEA AND TRIAL

GENERAL PROCEEDINGS

1. ☐ Determined presence of proper parties.
2. ☐ Determined whether proper notice to appear was served if parent/respondent is absent.
3. ☐ At trial, read allegations, unless waived.
4. ☐ Informed juvenile/respondent(s) of right to an attorney unless already represented by an attorney
5. ☐ Advised juvenile/respondent(s) of right to request a review of referee's findings or recommendations.
6. ☐ Advised parent where additional costs or reimbursement may be assessed.

CHILD PROTECTIVE PROCEEDINGS FOR ACCEPTING PLEA

7. ☐ Advised each respondent on the record or in a writing made part of the file of the allegations in the petition and that if the court accepts the plea the respondent will give up the rights to:
 - a. trial by a judge or trial by a jury,
 - b. have the petitioner prove the allegations in the petition by a preponderance of the evidence except if the child is an American Indian child, then by clear and convincing evidence,
 - c. have witnesses against the respondent appear and testify under oath at the trial,
 - d. cross-examine witnesses, and
 - e. have the court subpoena any witnesses the respondent believe could give testimony in the respondent's favor.
8. ☐ Advised each respondent of the consequences of the plea including that the plea can later be used as evidence in a proceeding to terminate parental rights if the respondent is a parent.
9. ☐ Established support for a finding that one or more of the statutory grounds alleged in the petition are true.
10. ☐ Determined that the plea was knowingly, understandingly, voluntarily, and accurately made.

DELINQUENCY PROCEEDINGS FOR TRIAL

11. ☐ (When counsel waived) Advised juvenile of the dangers and disadvantages of self-representation and made sure juvenile is literate and competent to conduct the defense.
12. ☐ Advised juvenile of privilege against self incrimination, and that any statement by the juvenile may be used against the juvenile.
13. ☐ Determined whether the victim was advised of the right to be present at the trial as provided by MCL 780.789 and whether proper notice of the trial date was given.

DELINQUENCY PROCEEDINGS FOR ACCEPTING PLEA

14. ☐ Inquired of the parent, guardian, legal custodian, or guardian ad litem, if present, whether there is any reason why the court should not accept the plea of the juvenile.
15. ☐ Informed the juvenile of the name of the offense(s) charged and the possible dispositions.
16. ☐ Informed the juvenile that if the plea is accepted, the juvenile will not have a trial of any kind and gives up the rights that would be present at trial including the right to:
 - a. trial by jury,
 - b. trial by the judge if the juvenile does not want trial by jury,
 - c. be presumed innocent until proven guilty,
 - d. have the petitioner or prosecutor prove guilt beyond a reasonable doubt,
 - e. have witnesses against the juvenile appear at the trial,
 - f. question the witnesses against the juvenile,
 - g. have the court order any witnesses for the juvenile's defense to appear at the trial,
 - h. remain silent and not have that silence used against the juvenile, and
 - i. testify at trial, if the juvenile wants to testify.
17. ☐ Confirmed any plea agreement on the record.
18. ☐ Asked the juvenile if any promises have been made beyond those in a plea agreement or whether anyone has threatened the juvenile.
19. ☐ Established support for a finding that the juvenile committed the offense(s).
20. ☐ Determined that the plea is accurate, voluntary, and understanding.